

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**ROBERT T. BROCKMAN,**

**Defendant.**

§  
§  
§  
§  
§  
§  
§  
§  
§  
§  
§

**Cr. No. 4:21cr 009 GCH**

**ADMITTED GOVERNMENT EXHIBITS**

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
1	Forensic Neuropsychological Report, Dr. Robert Denney	DBD-0000127 to DBD-0000164	Y
2	Dr. Denney Supplemental Report		Y
3	Dietz/Denney Exam Video- Day 1		Y (Under seal)
4	Dietz/Denney Exam Video- Day 3		Y (Under seal)
5	Dietz/Denney Exam Video Transcripts Days 1 & 3		Y (Under seal)
5A	Dietz/Denney May 20 Transcript pp. 99-124		Y
6	Letter Report, Dr. Maria Ponisio re 3/12/2021 PET Scan	DMP-000007 to DMP-0000011	Y
7	Letter Report, Dr. Maria Ponisio re 7/28/2021 PET Scan	DMP-0000001 to DMP-0000006	Y
8	Letter Report, Dr. Maria Ponisio re 8/24/2021 PET Scan	DMP-0000012 to DMP-0000016	Y
9	Evatt Tamine Performance Review,	ET_0000019742 to	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
	2/5/2010	ET_0000019745	
10	Email Exchange, Robert Brockman and Evatt Tamine, 9/2/2010	ET_0000044709 to ET_0000044710	Y
11	Email from Brockman to Tamine, 11/21/2013	ET_0000058894	Y
12	Tamine Performance Review, 6/4/2017	MLATSW_020987 to MLATSW_020995	Y
14	Email between Brockman and Tamine, 5/21/2011	ET_0001791710	Y
15	Email between Brockman and Tamine, 6/4/2011	ET_0001791784	Y
16	Letter from Tamine to Dr. Stuart Yudofsky, 6/5/2011	ET_0001694180 to ET_0001694185	Y
17	Email from Brockman to Tamine, 8/13/2017	MLATSW_020952	Y
18	Tamine Memo re: Frozen Accts, 7/29/2017	MLATSW_020907 to MLATSW_020911	Y
19	Email from Brockman to Tamine, 6/12/2011	MLATSW_002276	Y
20	Letter from Tamine to Brockman	ET_0001694884 to ET_0001694886	Y
21	Email from Brockman to Tamine, 8/1/2015	MLATSW_015369	Y
23	Emails between Tamine and Brockman 7/26/2017	MLATSW_020867	Y
24	Emails between Tamine and Brockman 6/20/2015	MLATSW_015263 to MLATSW_015265	Y
25	Email from Tamine to Brockman 3/4/2014	MLATSW_006702	Y
26	Email from Brockman to Tamine and Don Jones 7/23/2008	ET_0000015153	Y
27	Email from Tamine to Yudofsky, 8/13/2015	ET_0002071945	Y
28	Subpoena to Vista		Y
29	Alaskan Trip Itinerary	SOL-0000584	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
32	FTC Hearing Transcript, Vol. 1, 9/18/2019	FTC-0000001 to FTC-0000110	Y
33	FTC Hearing Transcript, Vol. 2, 9/19/2019	FTC-0000111 to FTC-0000202	Y
34	FTC Hearing Exhibits, Vol. 1	FTC-0000472 to FTC-0000486; FTC-0000297 to FTC-0000299; FTC-0000316 to FTC-0000317; FTC-0000487; FTC-0000300 to FTC-0000303; FTC-0000294 to FTC-0000296; FTC-0000304 to FTC-000305	Y
35	FTC Hearing Exhibits, Vol. 2	FTC-0000292 to FTC-0000293; FTC-0000306 to FTC-0000311; FTC-0000432 to FTC-0000442; FTC-0000331 to FTC-0000356; FTC-0000357 to FTC-0000422; FTC-0000318 to FTC-0000330; FTC-0000423 to FTC-0000427; FTC-0000428 to FTC-0000431; FTC-0000312 to FTC-0000315; FTC-0000446 to FTC-0000469; FTC-0000443 to FTC-0000445; FTC-	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
		0000470 to FTC-0000471	
36	Brockman Deposition Transcript, 1/16/2019	FTC-0000970 to FTC-0001048	Y
37	Brockman Deposition Transcript, 1/17/2019	FTC-0001253 to FTC-0001354	Y
38	Letter Report, Dr. Ryan Darby, 6/18/2021	DRD-0000009 to FTC-0000023	Y
39	Darby Supplemental Report		Y
40	Examination Video, Dr. Ryan Darby	DRD-0000003 to DRD-0000005	Y
40A	Dr. Ryan Darby Examination Video Clip, 18:47 to 21:15	DRD-0000005	Y
41	Polysomnography Report (Sleep Study), 4/29/2021	MHH-0000001 to MHH-0000007	Y
42	Titration Report (Sleep Study), 8/12/2021	MHH-0000008 to MHH-0000019	Y
43	PET Scan Reports, Dr. Ryan Darby		Y
44	Email from Brockman to Bart Chandler, 6/27/2020	UCSH_0229197	Y
45	Email from Brockman to Passmore, July 31, 2020	UCSH_0229391	Y
46	Email from Brockman to Cyndi Slade	UCSH_0229417 to UCSH_0229418	Y
47	Email from Brockman to Passmore, 10/10/2020	UCSH_0229970	Y
48	Email from Brockman to Slade, 8/10/2020	UCSH_0229464 to UCSH_0229465	Y
49	Email from Brockman re Alaska Itinerary, 8/27/2018	UCSH_0219578 to UCSH_0219579	Y
50	Email from Brockman to Lerner, 9/6/2018	UCSH_0219722	Y
51	Email exchange between Brockman and Moss, 7/30/2020	UCSH_0229389	Y
52	DCS Board Resolution, 8/13/2020	UCSH_0229512 to UCSH_0229526	Y
54	Email exchange between Brockman and Arnett, 6/3/2020	UCSH_0228917 to UCSH_0228919	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
55	Email exchange between Brockman and Barras, 2/13/2020	UCSH_0227075 to UCSH_0227076	Y
56	Email exchange between Brockman and Barras, 3/1/2020	UCSH_0227291 to UCSH_0227294	Y
57	Email exchange between Brockman and Barras, 6/3/2020	UCSH_0228922	Y
58	Brockman Deposition Video, Kellogg Hansen 1/16/2019	FTC-0001735, FTC-0001667, FTC-0001673,	Y
58A	Clip #2, Brockman_R-011619-3of3.mpg, 1:58-5:45	FTC-0001673	Y
58B	Clip #3, Brockman_R-011619-3of3.mpg, 0:17-1:57	FTC-0001673	Y
58C	Clip #4, Brockman_R-011619-1of3.mpg, 8:40-15:45	FTC-0001735	Y
58D	Clip #5, Brockman_R-011619-1of3.mpg, 2:05-5:01	FTC-0001735	Y
59	Brockman Deposition Video, Kellogg Hansen 1/17/2019	FTC-0001786, FTC-0001785, FTC-0001873, FTC-0001872	Y
59A	Clip #1, Brockman_R-011719-4of4.mpg, 9:50-17:00	FTC-0001872	Y
59B	Clip #6, Brockman_R-011719-1of4.mpg, 1:15:50-1:18:55	FTC-0001786	Y
60	Transcript, Deposition of Norman Barras, April 15, 2021	CAM-0000702 to CAM-0001081	Y
63	Email from Brockman to Moss, 12/16/2018	UCSH 0221292	Y
67	Email from Brockman to Moss 10/14/2018	CM-00023194	Y
68	Email from Brockman to Moss 1/2/2020	CM-00027155 to CM-27232	Y
69	Email from Brockman to Moss 5/11/2020	CM-00028695	Y
70	Email from Brockman to Moss 11/13/2020	CM-00029368	Y
71	Email from Brockman to Moss, 10/21/2019	CM-00026581	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
73	Email from Barras to Moss, 8/14/2020	CM-00016846	Y
77	Video, Brockman Reynolds & Reynolds Speech, 2019	UCSH 0212042	Y
77A	Video, Brockman Reynolds & Reynolds Speech Clip, 2019, 41:40-44:47		Y
78	Declaration of Kathryn Keneally, 12/8/2020	N.D. Cal. Dkt. No. 64-1	Y
79	Declaration of Peter Romatowski	N.D. Cal. Dkt. No. 64-3	Y
80	Request for Medical Discovery, 11/19/2020		Y
81	Taxpayer Conference Letter 4/9/2020		Y
82	Taxpayer Conference Letter Exhibits		Y
83	Dr. Dietz Report	PDA-0000025 to PDA-0000069	Y
84	Dr. Dietz Supp. Report		Y
85	Dr. James L. Pool, Examination Notes, 6/14/2021	RTBrockman_Medical_Records0005409	Y
86	Dr. Ponisio 10/25/21 Report		Y
87	Tamine Immunity Agreement		Y
88	Dr. Dietz Second Supplemental Report	PDA-0000353 to PDA-0000372	Y
89	Video of Guilmette Exam (July)		Y (under seal)
90	Transcript of Guilmette Exam (July)		Y (under seal)
91	Video of Agronin Exam (July)		Y (under seal)
91A	Excerpt from Agronin July Exam Video		Y
92	Transcript of Agronin Exam (July)		Y (under seal)
93	Video of Dietz and Denney Exam (October)		Y (under seal)
94	Transcript of Dietz and Denney Exam (October)	PDA-0000314 to PDA-0000352	Y (under seal)
95	Records of Dr. Scott Lisse		Y (under seal)
95A	Lisse records of January 2018 visit		Y (under seal)
95B	Lisse records of August 2018 visit		Y (under seal)

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
95C	Lisse records of September 2015 visit		Y (under seal)
104	5/3/17 Email Exchange between Dr. Yudofsky and Defendant	YUDOFSKY-000034 0001	Y
115	Email from Defendant to Passmore 10/9/19	UCSH_0225102	Y
116	Dec. 2018 Reynolds & Reynolds Video	UCSH 0210542	Y
116A	Dec. 2018 Reynolds & Reynolds Video 24:20 to 26:11	UCSH 0210542	Y
117	Form 8275 Disclosure		Y (Under Seal)
118	Letter from Charles Rettig to IRS, May 13, 2015		Y (Under Seal)
119	Dr. Denney Exam Score Sheet	DBD-0000178	Y
120	Dr. Denney WMT Validity Test Raw Data Graph	DBD-0000124 to 126	Y
121	Dr. Denney NV-MSVT Raw Data Graph	DBD-0000075 to 76	Y
122	"Determination of the Smoking Gun of Intent" Binder article		Y
123	"Intent to Fail" Binder article		Y
124	Denney Blank Test Sample Sheet 1		Y
125	Brockman Rey 15 Score Sheet	DBD-0000235	Y
126	Denney Test Sample Sheet 2		Y
127	Guilmette Iowa Test Score Summary Table	RTBrockman_Medical Records 0001877	Y
128	Guilmette Rey Test Data Score Sheet	RT_Brockman_Medical_Records_0006293	Y
129	Dr. Guilmette Figure Recall Scoresheet	RT_Brockman_Medical_Records_0006290	Y
130	Dr. Denney Core Memory Index Chart		Y
131	Memo from RB to Don Jones and ET	ET_0000015039	Y
133	Email from RB to ET, 6/19/2017	MLATSW 020479	Y
134	12/2011 To-do List	MLATSW 002426	Y
135	Email from ET to RB	MLATSW 005621	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
136	RB & ET Email Chain 5/5/2014	MLATSW 007905	Y
137	Email Chain 5/13/2013	MLATSW 003607	Y
139	RB & ET Email Chain 4/2/2015	MLATSW 013209	Y
140	Fig 3 Reduction in temporoparietal metabolism		Y
141	Fig 2 Regions with reduced metabolism comparing PDD patient and PD-MCI patients		Y
142A	P. Edison, "Mayloid, hypometabolism, and cognition in Alzheimer disease"		Y
142B	Posterior parietooccipital hypometabolism may differentiate mild cognitive impairment from dementia in Parkinson's disease		Y
143	Darby Slide 6		Y
144	Email between Barras and Jackson, 4/1/2020	UCSH 0230485	Y
146	Emails between Barras and Jackson, 11/24/2020	UCSH 0230699 to 700	Y
147	Emails between M. Bates and Barras, 2/16/2021	RB-00010403 to 04	Y
148	Emails between Barras and Jackson, 6/19/2020	UCSH 230523 to 24	Y
149	Emails between Barras and Jackson	UCSH 0230604	Y
150	Emails between Barras and Burnett	RB-00010447	Y
151	6 emails produced by UCSH on 11/18/21 regarding Jim Jackson and Tommy Barras	UCSH 0231176-79; UCSH 0231180-82; UCSH 0231184-85	Y
152	Email from Jackson to Barras re "Two IRS Agents" 12/13/2020		Y
153	2015 Health Document received from Dr. Scott Lisse		Y (Under Seal)
156	Lai Records, 1/8/2020 Office Visit	HMH-0000141 to 161	Y
157	Lai Records, 2/12/2020 Office Visit	HMH-0000079 to 104	Y
158	Lai Records, 2/2/2021 Office Visit	HMH-0000031 to 44	Y
159	Brockman to Yudofsky Email	UCSH 0221872	Y

<b>Exhibit No.</b>	<b>Description</b>	<b>Identifier</b>	<b>Admitted</b>
	1/20/2019		
160	Interview Notes, Agronin & F. Gutierrez	Brockman_0002176	Y
161	“Ethical Issues Associated with the Assessment of Exaggeration, Poor Effort, and Malingering,” Iverson, G., Applied Neuropsychology		Y
162	“AACN 2021 Consensus Statement” Sweet, J, et al., The Clinical Neuropsychologist		Y
163	A-Test Sheet, July 13, 2021		Y
164	MSVT Scores Oct. 2, 2021	RTBrockman_Medical_Records_0006271-73	Y
165	“Use of the Rey 15-Item Test as a performance validity test in an elderly population”, R. Fazio, Applied Neuropsychology		Y
166	Rey 15 Score Sheet, Oct. 2, 2021	RTBrockman_Medical_Records_0006293-94	Y
167	“Coin-in-the-hand” test score sheet, Oct. 2, 2021	RTBrockman_Medical Records 0006261	Y
168	Conners CPT3 Assessment Report, Oct. 2, 2021	RTBrockman_Medical Records 0006262	Y
169	AACN Consensus Statement, 2009		Y
170	Progression of FDG-PET Slide		Y
171	Whitlow PET Comparison		Y
172	Age-Specific and Sex Specific Prevalence . . .” Hassler		Y
173	“Associations among vascular risk factors . . .” Lockhart article		Y
175	Transcript of Initial Appearance		Y

Submitted on December 3, 2021

DAVID A. HUBBERT  
ACTING ASSISTANT  
ATTORNEY GENERAL

*s/ Corey J. Smith*

---

COREY J. SMITH  
Senior Litigation Counsel  
Mass. Bar No. 553615  
Corey.smith@usdoj.gov  
Tele: 202-514-5230